

REMARKS/ARGUMENTS

Claims 2-4, 11 and 19 have been amended. Claims 2-21, 23, 24, 28 and 29 are pending in this application.

The examiner has acknowledged that claims 20, 21, 23 and 24 are directed to allowable subject matter and claims 2, 5-7 and 13-15 would be considered allowable if rewritten in independent form to include the limitations of the base claim.

35 U.S.C. §102 Rejections

In the Official Action dated September 23, 2005, claims 1, 3, 8-12, 16-19, 28 and 29 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,880,302 to Fontaine.

Applicants note that claim 1 was cancelled in the Amendment dated January 6, 2005, and, thus, a rejection of claim 1 is unwarranted. Applicants' undersigned attorney, John Olivo, spoke with Examiner Chapman via the telephone on December 19, 2005. The Examiner indicated to Mr. Olivo that the rejection of claim 1 was a clerical error and that the rejection was intended to include claim 4, which includes all of the limitations of now cancelled claim 1.¹ The Examiner further clarified that the 35 U.S.C. §102(b) rejection should have been based on Fontaine's corresponding published PCT application, namely WO 01/71117, as U.S. Patent No. 6,880,302 was available only as the basis for a 102(e) rejection. Applicants note that WO 01/71117 is written in the French language. Thus, in the interest of moving forward prosecution of the application,

¹ Applicants note, that on page 8 of the Official Action of October 6, 2004, Examiner Green indicated that claim 4 contained allowable subject matter and would be allowable if rewritten in independent form to include the limitations of original base claim 1.

Applicants will herein refer to U.S. Patent No. 6,880,302 in responding to the §102(b) rejection.

On page 2 of the Official Action, the Examiner asserts that in Figure 2A, Fontaine illustrates “[a] horizontal member 14/15 is inserted into a hanger section 4 secured to a suspension element 3.” (Emphasis Added). Applicants submit that Fontaine’s element represented by reference numeral 14/15 is not “inserted” into the element represented by reference numeral 4. As Fontaine illustrates throughout the Figures and describes in column 9, lines 9-13,

[t]he extreme lateral portions of the rails and side rails (element 4) rests against the wall 15 of the fourth projection 14 . . . the girders of the rails and/or the side rails are assembled on the walls 15 by riveting or any other equivalent means.

Fontaine’s element 14/15, which Applicants concede is a horizontal surface member, is located below element 4 and is attached to the base of element 4 by riveting or other means. Thus, element 14/15 is not “inserted” into the hanger (i.e. element 4) as required by the language of claim 1.

Additionally, in an attempt to define Applicants’ invention with more definiteness, Applicants have amended claim 4 to further recite that “the another horizontal surface member supporting the first end of the border ceiling panel has no rib extending therefrom.” In contrast, Fontaine’s fifth projection, element 17, contains a rib which forms a support groove for the hooking means of the fabric, i.e. element 18. Such a

rib-type protrusion is unnecessary in Applicants' configuration. Thus, Applicants submit that this additional language clearly distinguishes claim 4 from Fontaine.

For the above reasons, Fontaine fails to describe or suggest every element of independent claim 4, and thus, Applicants respectfully submit that claim 4, and all claims which depend therefrom, should be found allowable.

Applicants also wish to point out that claim 11 is distinguishable from Fontaine. Specifically, claim 11, which was amended to describe the invention with more definiteness, requires the suspension element to be "positioned horizontally." In contrast, Fontaine's cable/hanger wire, i.e. element 3, which the Examiner asserts is Applicants' suspension element, is clearly positioned vertically. Accordingly, Fontaine fails to describe or suggest every element of independent claim 11, and in turn, Applicants respectfully submit that claim 11, and all claims which depend therefrom, should be found allowable.

Also, claim 11 recites the limitation of "a grid element supporting a second end of a ceiling panel." (Emphasis Added.) The Examiner suggests on page 3 of the Official Action that the element represented by reference numeral 108 "supports" the second end of a ceiling panel. Applicants respectfully disagree. Applicants respectfully submit that Fontaine's element 108 "tensions" the fabric, whereas Applicants grid element "supports" the ceiling panel. Applicants have enclosed herewith, the dictionary definitions of "support" and "tension" from Dictionary.com to illustrate the difference in

the meanings of these words. These printouts include the definitions set forth in several dictionaries, including The American Heritage Dictionary.

The American Heritage Dictionary definition of the word “support” includes the following: 1) to bear the weight of, especially from below; 2) to hold in position so as to keep from falling, sinking or slipping; 3) to keep from weakening or failing; strengthen. In contrast, the definition of “tension” includes: 1) the act or process of stretching something tight; 2) the condition of so being stretched; tautness 3) a force tending to stretch or elongate something.

As stated in column 9, beginning at line 66, Fontaine’s bars 108 provide a means for deforming a fabric by “exerting local pressure on the taut fabric.” Applicants respectfully submit that Fontaine’s bars (108) do not support the fabric, i.e. bear the weight of the fabric, hold the fabric in position to keep from falling and/or strengthen the fabric as required by the aforementioned definition of “support”. Instead, elements 108 exert a force, i.e. local pressure, on the fabric in order to deform and further tension the taut fabric. Accordingly, Applicants submit that Fontaine does not describe or illustrate the support feature required by claim 11.

In view of the above, Applicants respectfully request that the Examiner reconsider the claims as amended and request that the 102(b) rejection based on Fontaine be withdrawn. It is also requested that the Examiner contact Applicants’ undersigned

representative at the telephone number listed below should this response not be deemed to place the application in consideration for allowance.

Respectfully submitted,

12/22/05
Date



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sup·port □ P Pronunciation Key (sə-pôrt', -pôrt')
tr.v. sup·port·ed, sup·port·ing, sup·ports

1. To bear the weight of, especially from below.
2. To hold in position so as to keep from falling, sinking, or slipping.
3. To be capable of bearing; withstand: “His flaw'd heart... too weak the conflict to support” (Shakespeare).
4. To keep from weakening or failing; strengthen: *The letter supported him in his grief.*

5. To provide for or maintain, by supplying with money or necessities.
6. To furnish corroborating evidence for: *New facts supported her story.*
7.
 - a. To aid the cause, policy, or interests of: *supported her in her election campaign.*
 - b. To argue in favor of; advocate: *supported lower taxes.*
8. To endure; tolerate: "At supper there was such a conflux of company that I could scarcely support the tumult" (Samuel Johnson).
9. To act in a secondary or subordinate role to (a leading performer).

n.

- a. The act of supporting.
- b. The state of being supported.
2. One that supports.
3. Maintenance, as of a family, with the necessities of life.

[Middle English *supporten*, from Old French *supporter*, from Latin *supportare*, *to carry* : *sub-*, *from below*; see *sub-* + *portare*, *to carry*; see *per-*² in Indo-European Roots.]

Synonyms: *support, uphold, back,*¹ *advocate, champion*
These verbs mean to give aid or

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encouragement to a person or cause. *Support* is the most general: “the policy of Cromwell, who supported the growing power of France against the declining power of Spain” (William E.H. Lecky). To *uphold* is to maintain or affirm in the face of a challenge or strong opposition: “The Declaration of Right upheld the principle of hereditary monarchy” (Edmund Burke). *Back* suggests material or moral support intended to contribute to or assure success: *The important medical research was backed by the federal government.* *Advocate* implies verbal support, often in the form of pleading or arguing: *Scientists advocate a reduction in saturated fats in the human diet.* To *champion* is to fight for one that is under attack or is unable to act in its own behalf: “championed the government and defended the system of taxation” (Samuel Chew).

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Source: *The American Heritage® Dictionary of the English Language, Fourth Edition*

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sup·port (sə-pôrt')

v. **sup·port·ed, sup·port·ing, sup·ports**

1. To bear the weight of, especially from below.
2. To hold in position so as to keep from falling, sinking, or slipping.
3. To be capable of bearing; withstand.
4. To keep from weakening or failing; strengthen.
5. To provide for or maintain, by supplying with money or necessities.
6. To endure; tolerate.

n.

1. The act of supporting.
2. The state of being supported.
3. One that supports or maintains.
4. Maintenance, as of a family, with the necessities of life.

Source: The American Heritage® Stedman's Medical Dictionary

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support

Increased demand for a security. *Compare* resistance.

Source: Wall Street Words: An A to Z Guide to Investment Terms for Today's Investor by David L. Scott.

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Main Entry: **support**

Function: *noun*

1 : the act or process of supporting : the condition of being supported
<pledged the candidate their *support*>

2 : a means of obtaining the necessities of life (as food, shelter, and clothing) : a source of livelihood esp. in the form of alimony or child support
3 : something that provides support

Source: *Merriam-Webster's Dictionary of Law*, © 1996 Merriam-Webster, Inc.

Main Entry: **sup·port**

Function: *transitive verb*

1 a : to promote the interests or cause of b : to uphold or defend as valid or right c : to argue or vote for

2 : to provide with substantiation or corroboration <*support* an alibi>

3 : to provide with the means of livelihood (as housing, food, or clothing) esp. in accordance with an agreement or court order

4 : to hold up or in position : maintain the physical integrity of <the right to have one's land *supported* by the underlying land>

Source: *Merriam-Webster's Dictionary of Law*, © 1996 Merriam-Webster, Inc.

Main Entry: **¹sup·port**

Pronunciation: s&- 'po (&) rt, - 'po (&) rt

Function: *transitive verb*

1 : to hold up or serve as a foundation or prop for

2 : to maintain in condition, action, or existence <*support* respiration> <*support* life>

Source: *Merriam-Webster's Medical Dictionary*, © 2002 Merriam-Webster, Inc.

Main Entry: **²support**

Function: *noun*

1 : the act or process of supporting : the condition of being supported <*respiratory support*>

2 : **SUPPORTER**

Source: *Merriam-Webster's Medical Dictionary*, © 2002 Merriam-Webster, Inc.

support

n 1: the activity of providing for or maintaining by supplying with money or necessities; "his support kept the family together"; "they gave him emotional support during difficult times" 2: aiding the cause or policy or interests of; "the president no longer had the support of his own party"; "they developed a scheme of mutual support" 3: something providing immaterial support or assistance to a person or cause or interest; "the policy found little public support"; "his faith was all the support he needed"; "the team enjoyed the support of their fans" 4: a military operation (often involving new supplies of men and materiel) to strengthen a military force or aid in the performance of its mission; "they called for artillery support" [syn: reinforcement, reenforcement] 5: documentary validation; "his documentation of the results was excellent"; "the strongest support for this view is the work of Jones" [syn: documentation] 6: the financial means whereby one lives; "each child was expected to pay for their keep"; "he applied to the state for support"; "he could no longer earn his own livelihood" [syn: keep, livelihood, living, bread and butter, sustenance] 7: supporting structure that holds up or provides a foundation; "the statue stood on a marble support" 8: the act of bearing the weight of or strengthening; "he leaned against the wall for support" [syn: supporting] 9: a subordinate musical part; provides background for more important parts [syn: accompaniment, musical accompaniment, backup] 10: any device that bears the weight of another thing; "there was no place to attach supports for a shelf" 11: financial resources provided to make some project possible; "the foundation provided support for the experiment" [syn: financial support, funding, backing, financial backing] v 1: give moral or psychological support, aid, or courage to; "She supported him during the illness"; "Her children always backed her up" [syn: back up] 2: support materially or financially; "he does not support his natural children"; "The scholarship supported me when I was in college" 3: be behind; approve of; "He plumped for the Labor Party"; "I backed Kennedy in 1960" [syn: back, endorse, indorse, plump for, plunk for] 4: be the physical support of; carry the weight of; "The beam holds up the roof"; "He supported me with one hand while I balanced on the beam"; "What's holding that mirror?" [syn: hold, sustain, hold up] 5: establish or strengthen as with new evidence or facts; "his story confirmed my doubts"; "The evidence supports the defendant" [syn: confirm, corroborate, sustain,

substantiate, affirm] [ant: negate] 6: adopt as a belief; "I subscribe to your view on abortion" [syn: subscribe] 7: support with evidence or authority or make more certain or confirm; "The stories and claims were born out by the evidence" [syn: corroborate, underpin, bear out] 8: argue or speak in defense of; "She supported the motion to strike" [syn: defend, fend for] 9: play a subordinate role to (another performer); "Olivier supported Gielgud beautifully in the second act" 10: be a regular customer or client of; "We patronize this store"; "Our sponsor kept our art studio going for as long as he could" [syn: patronize, patronise, patronage, keep going] 11: put up with something or somebody unpleasant; "I cannot bear his constant criticism"; "The new secretary had to endure a lot of unprofessional remarks"; "he learned to tolerate the heat"; "She stuck out two years in a miserable marriage" [syn: digest, endure, stick out, stomach, bear, stand, tolerate, brook, abide, suffer, put up]

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support

After-sale handholding; something many software vendors promise but few deliver. To hackers, most support people are useless - because by the time a hacker calls support he or she will usually know the software and the relevant manuals better than the support people (sadly, this is *not* a joke or exaggeration). A hacker's idea of "support" is a tête-à-tête or exchange of electronic mail with the software's designer.

[Jargon File]

(1995-02-15)

Source: *The Free On-line Dictionary of Computing, © 1993-2005 Denis Howe*

support

n. After-sale handholding; something many software vendors promise but few deliver. To hackers, most support people are useless -- because by the time a hacker calls support he or she will usually know the software and the relevant manuals better than the support people (sadly, this is _not_ a joke or exaggeration). A hacker's idea of 'support' is a te^te-a^-te^te with the software's designer.

Source: *Jargon File 4.2.0*

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support in InvestorWords

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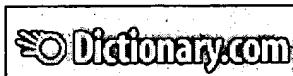
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- a. The act or process of stretching something tight.
- b. The condition of so being stretched; tautness.

2.

- a. A force tending to stretch or elongate something.
- b. A measure of such a force: *a tension on the cable of 50 pounds*.

3.

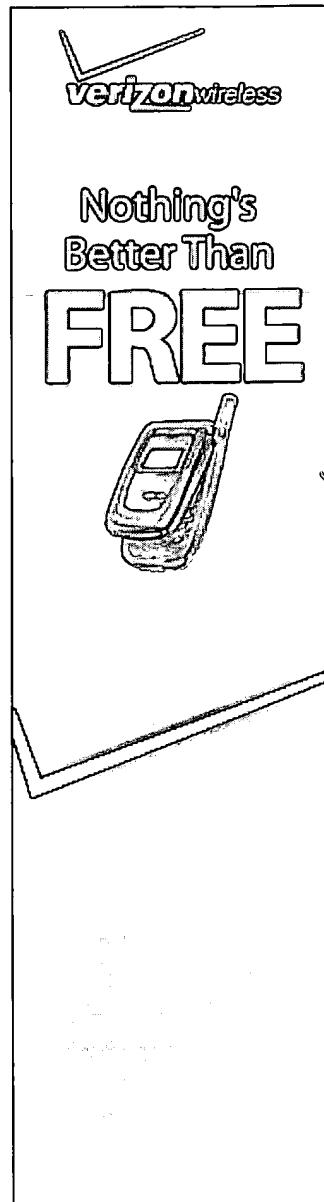
- a. Mental, emotional, or nervous strain:

working under great tension to make a deadline.

- b. Barely controlled hostility or a strained relationship between people or groups: *the dangerous tension between opposing military powers.*
4. A balanced relation between strongly opposing elements: “the continuing, and essential, tension between two of the three branches of government, judicial and legislative” (Haynes Johnson).
5. The interplay of conflicting elements in a piece of literature, especially a poem.
6. A device for regulating tautness, especially a device that controls the tautness of thread on a sewing machine or loom.
7. Electricity. Voltage or potential; electromotive force.

tr.v. **ten·sioned**, **ten·sion·ing**, **ten·sions**

To subject to tension; tighten.



[Latin *tēnsiō*, *tēnsiōn-*, *a stretching out*, from *tēnsus*, past participle of *tendere*, *to stretch*. See tense¹.]

ten·sion·al *adj.*

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tension (tĕn'shĕn)*n.**Abbr.* **T**

1. The act or process of stretching something tight.
2. The condition of so being stretched.
3. A force tending to stretch or elongate something.
4. The partial pressure of a gas, especially dissolved in a liquid such as blood.
5. Mental, emotional, or nervous strain.
6. Barely controlled hostility or a strained relationship between people or groups.

Source: The American Heritage® Stedman's Medical Dictionary

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Main Entry: **ten·sion**

Pronunciation: 'ten-ch&n

Function: *noun*

1 a : the act or action of stretching or the condition or degree of being stretched to stiffness <muscular *tension*> **b** : STRESS 1b

2 a : either of two balancing forces causing or tending to cause extension **b** : the stress resulting from the elongation of an elastic body

3 : inner striving, unrest, or imbalance often with physiological indication of emotion

4 : PARTIAL PRESSURE <arterial carbon dioxide *tension*> —

ten·sion·al /'tench-n&l, -&n-[&]l/ *adjective* —**ten·sion·less** /'ten-ch&n-l&s/ *adjective*

Source: Merriam-Webster's Medical Dictionary, © 2002 Merriam-Webster, Inc.

tension

n 1: feelings of hostility that are not manifest; "he could sense her latent hostility to him"; "the diplomats' first concern was to reduce international tensions" [syn: latent hostility] 2: (psychology) a state of mental or emotional strain or suspense; "he suffered from fatigue and emotional tension"; "stress is a vasoconstrictor" [syn: tenseness, stress] 3: the physical condition of being stretched or strained; "it places great tension on the leg muscles"; "he could feel the tenseness of her body" [syn: tensity, tenseness, tautness] 4: a balance between and interplay of opposing elements or tendencies (especially in art or literature); "there is a tension created between narrative time and movie time"; "there is a tension between these approaches to understanding history" 5: (physics) a stress that produces an elongation of an elastic physical body; "the direction of maximum tension moves asymptotically toward the direction of the shear" 6: the action of stretching something tight; "tension holds the belt in the pulleys"

Source: *WordNet ® 2.0, © 2003 Princeton University*

tension

tension: in CancerWEB's On-line Medical Dictionary

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